

**ORDINANCE NO. 7212
PLANNED DEVELOPMENT NO. 312
CASE NO. Z050501**

AN ORDINANCE AMENDING THE ZONING MAP TO REZONE 13.8 ACRES, DESCRIBED AS TRACT 1, OUT OF THE P.H. FORD SURVEY, ABSTRACT NO. 1713, CITY OF GRAND PRAIRIE, WITHIN TARRANT AND DALLAS COUNTY, TEXAS, FROM PLANNED DEVELOPMENT NO. 122 FOR MULTI-FAMILY USES TO A PLANNED DEVELOPMENT FOR COMMERCIAL (C) USES; SAID ZONING MAP AND ORDINANCE BEING NUMBERED, ORDINANCE NUMBER 4779 AND PASSED ON NOVEMBER 20, 1990; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; CONTAINING A SAVINGS CLAUSE; AND TO BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL.

WHEREAS, the owners of the property described herein below filed application with the City of Grand Prairie, Texas, petitioning an amendment of the Zoning Ordinance and map of said city so as to rezone and reclassify said property from its classification of **Planned Development No. 122 for Multi-family Uses to a Planned Development for Commercial (C) Uses**; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on June 13, 2005 after written notice of such public hearing before the Planning and Zoning Commission on the proposed rezoning had been sent to owners of real property lying within 300 feet of the property on which the change of classification is proposed, said Notice having been given not less than ten (10) days before the date set for hearing to all such owners who rendered their said property for City taxes as the ownership appears on the last approved City Tax Roll, and such Notice being served by depositing the same, properly addressed and postage paid, in the City Post Office; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Grand Prairie, Texas voted 7 to 0 to recommend to the City Council of Grand Prairie, Texas, that the hereinafter described property be rezoned from its classification of **Planned Development No. 122 for Multi-family Uses to a Planned Development for Commercial (C) Uses**; and

WHEREAS, Notice was given of a further public hearing to be held by the City Council of the City of Grand Prairie, Texas, in the City Hall Plaza Building at 6:30 o'clock P.M. on June 21, 2005 to consider the advisability of amending the Zoning Ordinance and Map as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such Notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Dallas Morning News, Dallas, Texas, a newspaper of general circulation in such municipality; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard on all the matter of the proposed rezoning and the City Council of the City of Grand Prairie, Texas, being informed as to the location and nature of the use proposed on said property, as well as the nature and usability of surrounding property, have found and determined that the property in question, as well as other property within the city limits of the City of Grand Prairie, Texas, has changed in character since the enactment of the original Zoning Ordinance from the classification its classification of; **Planned Development No. 122 for Multi-family (PD-Multi-family)**; and, by reason of changed conditions, does consider and find that this amendatory Ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:

I.

That Ordinance Number 4779, being the Zoning Ordinance and Map of the City of Grand Prairie, Texas, showing the locations and boundaries of certain districts, and said Zoning Ordinance and Map having been made a part of an Ordinance entitled:

"AN ORDINANCE AMENDING IN ITS ENTIRETY CHAPTER 28 OF THE CODE OF ORDINANCES KNOWN AS THE ZONING ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AS PASSED AND APPROVED BY THE CITY COUNCIL ON THE 20TH DAY OF NOVEMBER, 1990, TOGETHER WITH ALL AMENDMENTS THERETO AND ENACTING A REVISED ORDINANCE ESTABLISHING AND PROVIDING FOR ZONING REGULATIONS; CREATING USE DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN..."

and passed and approved October 1, 2002, as amended, is hereby further amended so as to rezone the following described area from its classification of **Planned Development No. 122 for Multi-family Uses to a Planned Development for Commercial (C) Uses**;

Description of Land:

Being 13.8 acres, described as Tract 1, out of the P.H. Ford Survey, Abstract No. 1713, City of Grand Prairie, Texas, as shown on Exhibit A, which is herein incorporated by reference.

II.

Purpose and Intent

The intent of this zoning ordinance is to create a development framework that encourages and supports standards of the **Commercial (C)** district.

III.

Land Use

Land uses shall be only those permitted in Commercial (C) zoning district.

IV.

Development Standards

- A. Except as noted below all development standards shall be those accepted for the Commercial (C) zoning district upon approval of a planned development Site Plan.
 - 1. Site plan approval is required through City Council action in accordance with Appendix T, "SH 161 Overlay District" of the Unified Development Code.
 - 2. Masonry Requirements: All buildings shall be constructed of one hundred percent masonry as defined in the Unified Development Code.
 - 3. Outside Storage uses shall only be permitted with the approval of a Specific Use Permit.

V.

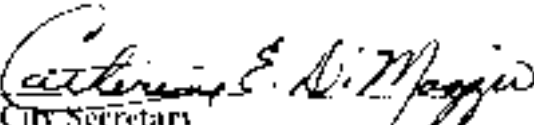
All ordinances or parts of ordinances in conflict herewith are specifically repealed.

VI.

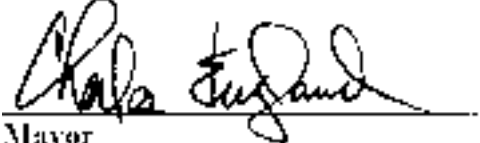
That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, THIS THE 21ST DAY OF JUNE, 2005.

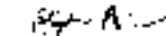
ATTEST:


 City Secretary

APPROVED:


 Mayor

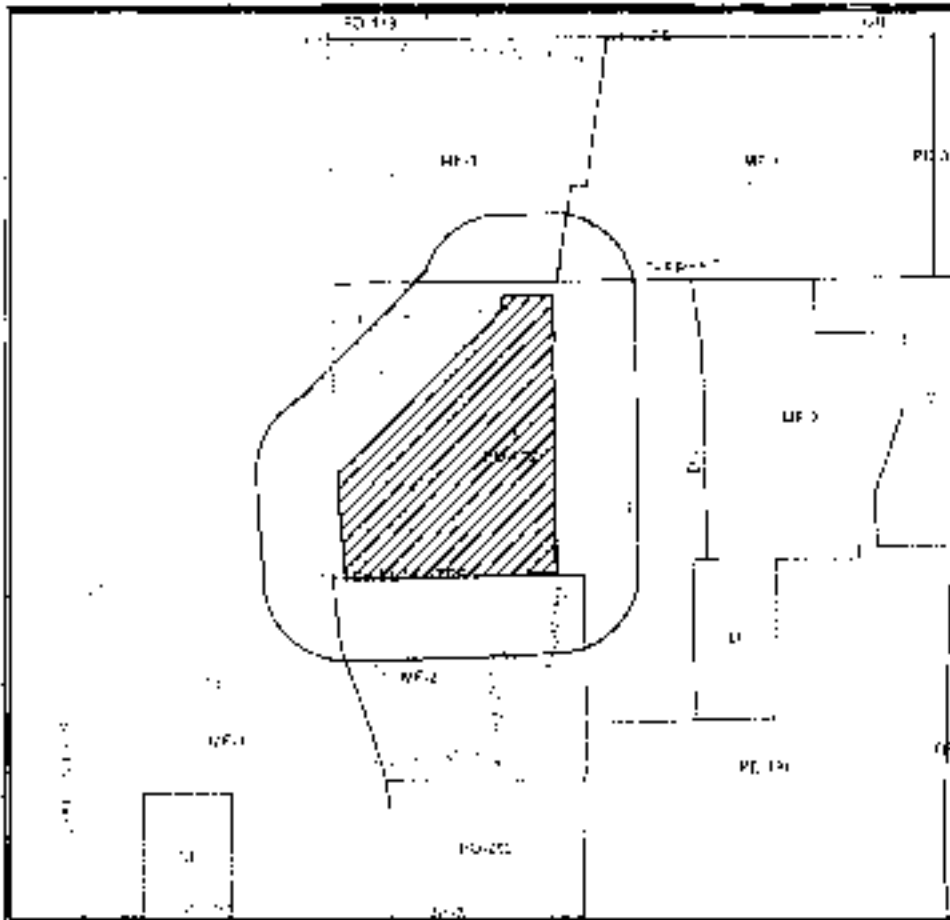
APPROVED AS TO FORM:



 City Attorney

“Exhibit A”
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PROPERTY OWNER NOTIFICATION / LOCATION MAP

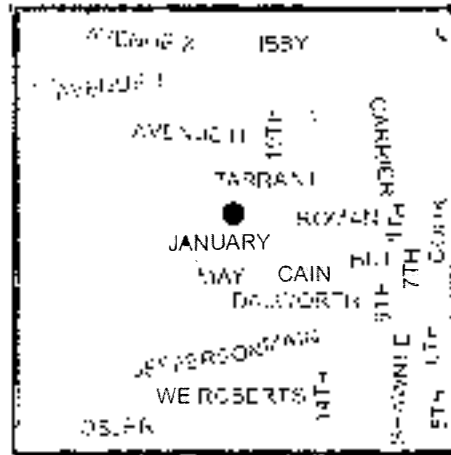
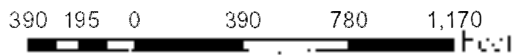


Hatched Area
Indicates Property
Under Review

Shaded Area Indicates
Notification Boundary
(if applicable)

CASE NUMBER Z050501
ZONING REQUEST -
DUNCAN PERRY & W. TARRANT RD.
CURRENT ZONING: PD-122
REQUEST:

Request for approval of a
Zoning Change for 13.8 acres.



**LEGAL DESCRIPTION
13.8099 ACRE TRACT
GRAND PRAIRIE, TEXAS
PD-122**

BEING a 13.8099 acre tract of land situated in the P.H. Ford Survey, Abstract No. 544 Tarrant County, Texas and the P.H. Ford Survey, Abstract No. 1713 and Abstract No. 1711 in Dallas County, Texas, said 13.8099 acres of land being described by metes and bounds as follows:

BEGINNING at a 3/8" iron rod found in the South Right of Way line of Tarrant Road at the West line of a 100' right of way easement to JESCO recorded in volume 2704, page 181, deed records of Dallas County, Texas;

THENCE S 01° 49' 11" E leaving said South line of Tarrant Road along the West right of way line of said easement for a distance of 1026.45' to a found 3/8" iron rod in the South line of the P.H. Ford Survey, Abstract 1713, Dallas County, Texas;

THENCE S 89° 55' 10" W along the Northern property line of Sugar Creek Apartments and the South line of the P.H. Ford Survey's Abstract No. 1713 and 544, Dallas and Tarrant Counties respectively for a distance of 786.77' to a found 1/2" iron rod in the East right of way of Darcen Perry Road;

THENCE N 00° 17' 59" W along the said right of way for a distance of 31.93' to a 3/8" iron rod found for corner, said point being the point of curvature of a non-tangent curve to the left whose center bears S 50° 41' 58" W, having a central angle of 02° 34' 53", a radius of 5530.00' and a tangent of 124.66';

THENCE along said right of way and curve for a distance of 249.16' to a 1/2" iron rod found for the point of tangency;

THENCE along said right of way N 02° 52' 52" W for a distance of 103.47' to a 1/2" iron rod found;

THENCE S 89° 52' 39" E for a distance of 9.37' to a 1/2" iron rod found for corner;

THENCE N 54° 30' 28" E along the centerline of a 20' wide easement to Trinity River Authority ("TRA") for sanitary sewer a distance of 841.94' to a 1/2" iron rod found for corner;

THENCE N 00° 14' 12" W along the center of the same 20' wide easement to TRA for a distance of 40.85' to a 1/2" iron rod found in the South right of way line of Tarrant Road (150' R/W);

THENCE S 89° 55' 10" E with the South right of way line of Tarrant Road for a distance of 185.28' to the point of beginning;